

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

Civil Action
No. 23-cv-369

- against -

(Morrison, J.)
(Levy, M.J.)

RARE BREED TRIGGERS, LLC; RARE
BREED FIREARMS, LLC; LAWRENCE
DEMONICO; KEVIN MAXWELL,

Defendants.

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THE UNITED STATES' EXHIBIT LIST

Pursuant to the Court's June 1, 2023 Order, as amended by the Court's July 16, 2023 Order,
the United States' exhibit list is set forth below.

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
1	Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") Firearms Technology Criminal Branch Report of Technical Examination ("Classification Report") No. 317066, approved on July 15, 2021, bearing Bates Nos. USA 00001-00066		
2	Cease and Desist Letter from ATF to Kevin Maxwell of Rare Breed Triggers, LLC, dated July 26, 2021, bearing Bates Nos. USA 00248-00249		
3	ATF Classification Report No. 317388, approved on October 20, 2021, bearing Bates Nos. USA 00075-00295		
4	ATF Classification Report No. 317970, approved on October 20, 2021, bearing Bates Nos. USA 00296-00310		

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
5	Letter from ATF to Rare Breed Triggers, LLC, dated November 15, 2021, bearing Bates Nos. USA 13206–13207.		
6	ATF Classification Report No. 317822, approved on March 19, 2022, bearing Bates Nos. USA 00326–00369.		
7	ATF Classification Report No.319830, approved on April 1, 2022, bearing Bates Nos. USA 00370–00410		
8	ATF Classification Report No. 324346, dated January 13, 2023, bearing Bates Nos. USA 00411–00455		
9	ATF Report of Investigation No. 24 for Investigation No. 767070-21-0057, dated January 16, 2023, bearing Bates Nos. USA 13569–13726		
10	One (1) .mp4 file with filename “Noir Interview of DeMonico.mp4,” bearing Bates No. USA_12559, clip at 8:55–11:10		
11	Transcription of Exhibit titled “Noir Interview of DeMonico,” bearing Bates Nos. USA 20354–20375		
12	One (1) .mp4 file with filename “Rare Breed Triggers vs ATF – Public Statement – 2021 08 19 1080P-1–,” bearing Bates No. USA 00514		
13	Transcription of Exhibit titled “Rare Breed Triggers vs ATF – Public Statement – 2021 08 19 1080P-1”–,” bearing Bates Nos. USA 20391-20399		
14	Clip of one (1) .mp4 file with filename “Rare Breed Triggers vs ATF – Public Statement – 2021 08 19 1080P-1–,” bearing Bates No. USA_00514, at 0:28-4:35		
15	Clip of one (1) .mp4 file with filename “Rare Breed Triggers vs ATF – Public Statement – 2021 08 19 1080P-1–,” bearing Bates No. USA_00514, at 6:53–9:13		
16	Clip of one (1) .mp4 file with filename “Rare Breed Triggers vs ATF – Public		

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
	Statement – 2021 08 19 1080P-1–,” bearing Bates No. USA_00514, at 9:12–10:27		
17	One (1) .mp4 file with filename “TFB TV.mp4,” bearing Bates No. USA_12560		
18	Transcription of Exhibit titled “TFB TV.mp4 Transcription,” bearing Bates Nos. USA_20376–20390		
19	Clip of one (1) .mp4 file with filename “TFB TV.mp4,” bearing Bates No. USA_12560, at 2:41–3:12		
20	Clip of one (1) .mp4 file with filename “TFB TV.mp4,” bearing Bates No. USA_12560, at 17:32–18:41		
21	One (1) .avi file with filename “FRT15ZIPTIE85.avi,” bearing Bates No. USA_00072 (<i>Marked Confidential</i>)		
22	Untitled Chase Paymentech document, dated January 6, 2022, for a chargeback, bearing Bates Nos. USA_16749–16754		
23	One (1) .mp4 file with filename “Vasquez_Exhibit 6.mp4,” included in Defendants’ expert disclosures		
24	One (1) .mp4 file with filename “RARE BREED TRIGGER 3 rd POSITION TRIGGER----.mp4,” bearing Bates No. USA_13730 (<i>Marked Confidential</i>)	Under FRE 402, 403, 611, irrelevant and waste of time. Not only is rate of fire shown in this video, but it concerns a model of the FRT-15 that has never been sold.	This exhibit is neither irrelevant nor a waste of time. Among other things, the video demonstrates how the referenced model operates relative to the FRT-15 as sold. The video also helps to explain the operation of the FRT-15, how it differs from a standard semi-automatic trigger, how it differs from semi-automatic triggers that are designed to increase the rate of fire, and how those differences help to

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
			<p>establish that the FRT-15 is, in fact, a machinegun.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "evidence about the FRT's rate of fire and exhibits that display the FRT-15's rate of fire." <i>See</i> July 30, 2023 Minute Entry.</p>
25	One (1) .mp4 file with filename "Rare Breed Triggers FRT – Animation [1080p].mp4," bearing Bates No. USA_20253	Under FRE 402, 403, 611, irrelevant and waste of time. Rate of fire shown in this video from 0:3-0:21.	<p>Plaintiff maintains that this exhibit is relevant to the matter at hand.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "evidence about the FRT's rate of fire and exhibits that display the FRT-15's rate of fire." <i>See</i> July 30, 2023 Minute Entry.</p>
26	Curriculum Vitae ("CV") of Firearms Enforcement Officer Anthony L. Ciravolo, bearing Bates Nos. USA_20237–20242		

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
27	Expert Disclosure of Firearms Enforcement Officer Anthony L. Ciravolo submitted pursuant to Federal Rule of Civil Procedure 26(a)(2), bearing Bates Nos. USA_20243–20299		
28	Supplemental Expert Disclosure of Firearms Enforcement Officer Anthony L. Ciravolo submitted pursuant to Federal Rule of Civil Procedure 26(a)(2), bearing Bates No. USA_20300		
29	Letter from ATF to Peter A. Hunter of Hunter Kinetic Innovations, dated May 2, 2005, bearing Bates Nos. USA_20301–20313	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show how similar devices were classified by ATF. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." See July 30, 2023 Minute Entry.</p>

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
30	Letter from ATF to Roger Loock of Revelation Arms, dated August 29, 2005, bearing Bates Nos. USA_20353–20372	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show how similar devices were classified by ATF. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." See July 30, 2023 Minute Entry.</p>
31	Letter from ATF to Roger Loock of Revelation Arms, dated August 29, 2005, signed by Rick Vasquez, bearing Bates Nos. USA_USA_20373–20394	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15	This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit demonstrates how similar devices were classified by ATF. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
		constitutes a machinegun, and these classifications were nonpublic.	<p>law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." <i>See</i> July 30, 2023 Minute Entry.</p>
32	Letter from ATF to Patrick Murphy of Oregon Research Labs, LLC, dated April 27, 2006, bearing Bates Nos. USA_20314–20345	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit demonstrates how similar devices were classified by ATF. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which</p>

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
			denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." <i>See</i> July 30, 2023 Minute Entry.
33	Letter from ATF to Patrick Murphy of Oregon Research Labs, LLC, dated April 27, 2006, signed by Rick Vasquez, bearing Bates Nos. USA_20346–20352	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit demonstrates how similar devices were classified by ATF. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." <i>See</i> July 30, 2023 Minute Entry.</p>
34	<i>Intentionally Omitted</i>		
35	Cease and Desist Letter from ATF to Kevin Maxwell, dated November 15, 2021, bearing Bates Nos. USA_13206–13207		

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Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
36	One (1) .mp4 file with filename "2021-08-20-20-56-25.UTC.mp4," bearing Bates No. USA_20401		
37	Cease and Desist Letter from ATF to 3 rd Gen Machine Inc., dated January 12, 2022, bearing Bates Nos. USA_20235–20237		
38	ATF Open Letter to All Federal Firearms Licensees, dated March 22, 2022, bearing Bates Nos. RTF_0009082–0009083		
39	Screenshots of https://rarebreedtriggers.com captured by FireShot Pro on December 14, 2022, bearing Bates Nos. USA_20222–20234		
40	<i>Intentionally Omitted</i>		
41	<i>Intentionally Omitted</i>		
42	<i>Intentionally Omitted</i>		
43	<i>Intentionally Omitted</i>		
44	<i>Intentionally Omitted</i>		
45	<i>Intentionally Omitted</i>		
46	<i>Intentionally Omitted</i>		
47	Electronic Articles of Organization for Florida Limited Liability Company Rare Breed Triggers, LLC, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-2		
48	Excerpts of Transcript of Deposition of Lawrence DeMonico, dated October 13, 2021, in an action styled <i>Rare Breed Triggers, LLC, et al. v. Big Daddy Enterprises, Inc., et al.</i> , No. 1:21-cv-00149-RH-GRJ, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-3		
49	Registration of Articles of Amendment to Articles of Organization of Rare Breed Triggers, LLC, a Florida Limited Liability Company, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-4		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
50	Business Limited Liability Company Articles of Organization for Rare Breed Triggers, LLC, a North Dakota Limited Liability Company, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-5		
51	Excerpts of Transcript of Deposition of Lawrence DeMonico, dated October 27, 2021, in an action styled <i>Rare Breed Triggers, LLC, et al. v. Big Daddy Enterprises, Inc., et al.</i> , No. 1:21-cv-00149-RH-GRJ, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-6		
52	Photographs of order purchased by ATF Special Agents on November 29, 2022 through https://rarebreedtriggers.com , found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-12		
53	Photographs of a "Waiver and Release" for an FRT-15, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-13		
54	Certification Pursuant to Federal Rule of Civil Procedure 65(b)(1)(B), found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 7-14		
55	Screenshot of text message exchange in group named "RBT FL Office" containing wire instructions, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 18-1, at 2		
56	Rare Breed Triggers Bank Wire Instructions, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 18-1, at 4-6		
57	Screenshot of text message exchange in group named "RBT FL Office" about sending a wire, found at <i>United States of</i>		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
	<i>America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 18-1, at 8		
58	Declaration of Lawrence DeMonico in an action styled <i>Rare Breed Triggers, LLC, et al. v. Big Daddy Enterprises, Inc., et al.</i> , No. 1:21-cv-00149-RH-GRJ, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 25-1		
59	Excerpts of Transcript of Deposition of Lawrence DeMonico, dated October 13, 2021, in an action styled <i>Rare Breed Triggers, LLC, et al. v. Big Daddy Enterprises, Inc., et al.</i> , No. 1:21-cv-00149-RH-GRJ, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 25-3		
60	Screenshots of posts from Instagram account for "rarebreedfirearms," found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 25-4		
61	Email from [REDACTED] to "<XXXX@XXXX.com" containing Rare Breed Triggers Bank Wire Instructions, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 26-1, at 4–6		
62	Documents reflecting wire transfers from multiple financial institutions, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 26-2		
63	JPMorgan Chase Bank, N.A. ("Chase Bank") records, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 28-2 (<i>Confidential and under seal</i>)	Under FRE 611, the voluminous nature of this exhibit wastes time.	This exhibit is necessary to prove the content of the summary in Exhibit 136. The United States notes that this exhibit has been admitted pursuant to the Court's Order dated July 31, 2023. <i>See</i>

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
			July 31, 2023 Minute Entry.
64	<i>Intentionally Omitted</i>		
65	Photograph of U.S. Postal Service ("USPS") Priority Mail 2-Day shipping label for package shipped from "Big Daddy Unlimited" to a redacted address in Rochester, New York, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 40-1	Under FRE 402, 403, irrelevant. This exhibit contains no identifying information related to Defendants or their businesses. There is no basis for finding a generically labeled package from Big Daddy Unlimited to be tied meaningfully to Defendants.	This exhibit is not irrelevant; the declaration to which the photograph was attached, the markings on the package, and Defendants' deposition testimony provide the foundation linking the photograph to Rare Breed Triggers. The United States notes that this exhibit is subject to the Court's Order dated July 31, 2023. <i>See</i> July 31, 2023 Minute Entry.
66	Untitled Chase Paymentech document regarding Sequence No. 552781100, for a chargeback, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 56-1		
67	Untitled Chase Paymentech document regarding Sequence No. 548377721, for a chargeback, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 56-2		
68	<i>Intentionally Omitted</i>		
69	2021 UPS Tariff/Terms & Conditions of Service – United States, effective July 11, 2021, found at <i>United States of America v. Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 66-6		
70	Status Report dated July 12, 2023, filed under seal <i>United States of America v.</i>		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
	<i>Rare Breed Triggers, LLC, et al.</i> , No. 23-cv-369, ECF No. 81-1		
71	<i>Intentionally Omitted</i>		
72	Check No. 101 from ABC IP, LLC paid to the order of "Wizard Labs" in the amount of \$34,675.00, dated February 19, 2021, bearing Bates No. USA 17276		
73	Six (6) checks introduced as Government Exhibit 7 at the deposition of Cole Leleux on June 30, 2023, bearing Bates No. USA 17352–17357		
74	Check No. 194 from ABC IP, LLC paid to the order of "CRDB Inc" in the amount of \$74,475.00, dated November 8, 2021, bearing Bates No. USA 17426		
75	Withdrawal slip from Chase Bank from customer "ABC IP" to purchase a cashier's check to payee "Clerk, US Dist. Court, Northern Dist. Florida" in the amount of \$2,000,000.00, dated January 12, 2022, bearing Bates No. USA 17465		
76	Check No. 251 from ABC IP, LLC, paid to the order of "Wolf Tactical LLC" in the amount of \$10,000.00, dated October 21, 2021, bearing Bates No. USA 17479		
77	Intellectual Property Sale Agreement between Wolf Tactical, LLC, and Rare Breed Triggers, LLC, dated May 7, 2020, bearing Bates No. RTF 0006061		
78	Check from Black Spider LLC paid to the order of "3 rd Gen Machine" in the amount of \$128,880.00, dated September 22, 2020, Bates Nos. USA 19668–19669		
79	Patent Assignment from Brian A. Blakley to ABC, IP, LLC, dated May 22, 2022, bearing Bates Nos. USA 20527–20529		
80	Untitled Chase Paymentech document, dated April 28, 2022, for a chargeback, bearing Bates Nos. USA 17030–17043		
81	One (1) .pdf file containing printout of website advertisement at https://ammodepotma.com/product/rare-breed-trigger , printed on July 13, 2023 at		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
	11:37 a.m., bearing Bates Stamp Nos. USA 20402–20411		
82	One (1) .pdf file containing screenshots of website advertisement at https://maxammodepot.com/product/rare-breed-frt-15-trigger/ , bearing Bates Stamp Nos. USA 20412–20416		
83	<i>Intentionally Omitted</i>		
84	<i>Intentionally Omitted</i>		
85	Email from Lawrence DeMonico to Cole Leleux, dated November 3, 2022, bearing Bates Nos. RTF 0012761–12766		
86	Email to admin@rarebreedtriggers.com from Customer Service, dated October 24, 2022, bearing Bates Nos. RTF 0009779–0009780		
87	Email to admin@rarebreedtriggers.com from Customer Service, dated September 20, 2022, bearing Bates Nos. RTF 0009761–0009762		
88	Email to admin@rarebreedtriggers.com from Customer Service, dated September 12, 2022, bearing Bates Nos. RTF 0009751–0009752		
89	Email to admin@rarebreedtriggers.com from Customer Service, dated August 26, 2022, bearing Bates Nos. RTF 0009723–0009724		
90	Email to admin@rarebreedtriggers.com from Customer Service, dated August 25, 2022, bearing Bates No. RTF 0009720		
91	Email to Lawrence DeMonico from admin, dated January 14, 2022, bearing Bates Nos. RTF 0022922–0022923		
92	Email to admin@rarebreedtriggers.com from Customer Service, dated December 7, 2022, bearing Bates Nos. RTF 0009863–0009866		
93	Email to customerservice@rarebreedtriggers.com from [REDACTED], dated August 19, 2021, bearing Bates Nos. RTF 0018676–0018680		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
94	<i>Intentionally Omitted</i>		
95	Email from Lawrence DeMonico to Kelly Leleux et al., dated May 11, 2022, bearing Bates Nos. RTF_0012609–0012610		
96	Email to admin@rarebreedtriggers.com from [REDACTED], dated February 4, 2021, bearing Bates Nos. RTF_0006881–0006883		
97	Email to [REDACTED] from admin@rarebreedtriggers.com, dated January 3, 2021, bearing Bates No. RTF_0010760		
98	Email to [REDACTED] from admin, dated January 23, 2021, bearing Bates Nos. RTF_0011318–0011320		
99	Email to [REDACTED] from admin, dated January 22, 2021, bearing Bates Nos. RTF_0011223–0011235		
100	Email to admin@rarebreedtriggers.com from [REDACTED], dated January 12, 2021, bearing Bates Nos. RTF_0006526–0006528		
101	Email to [REDACTED] from Rare Breed Triggers, dated January 9, 2021, bearing Bates No. RTF_0010851		
102	Email to admin@rarebreedtriggers.com from [REDACTED], dated January 8, 2021, bearing Bates Nos. RTF_0006465–0006466		
103	Email to admin@rarebreedtriggers.com from [REDACTED], dated January 9, 2021, bearing Bates Nos. RTF_0006495–0006496		
104	Email to admin@rarebreedtriggers.com from [REDACTED], dated January 7, 2021, bearing Bates No. RTF_0006446		
105	Email to admin@rarebreedtriggers.com from [REDACTED], dated January 1, 2021, bearing Bates Nos. RTF_0006286–0006287		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
106	Email to admin@rarebreedtriggers.com from [REDACTED], dated January 1, 2021, bearing Bates Nos. RTF_0006289		
107	Email to admin@rarebreedtriggers.com from Customer Service, dated January 9, 2023, bearing Bates Nos. RTF_0009984–0009985		
108	Email to admin@rarebreedtriggers.com from [REDACTED], dated February 4, 2021, bearing Bates Nos. RTF_0006881–0006883		
109	Email to [REDACTED] from admin@rarebreedtriggers.com, dated December 31, 2020, bearing Bates Nos. RTF_0010668–0010669		
110	Email to [REDACTED] from admin@rarebreedtriggers.com, dated December 19, 2020 bearing Bates No. RTF_0010535		
111	Email to admin@rarebreedtriggers.com from [REDACTED], dated December 14, 2020, bearing Bates No. RTF_0006081		
112	Email to admin@rarebreedtriggers.com from [REDACTED], dated December 18, 2020, bearing Bates Nos. RTF_0006099–0006100		
113	<i>Intentionally Omitted</i>		
114	ATF Classification Report No. 307369, dated December 7, 2017, bearing Bates Nos. USA_20417–20425	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these	This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show consistency in ATF's classification decisions. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
		classifications were nonpublic.	<p>ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." See July 30, 2023 Minute Entry.</p>
115	ATF Classification Report No. 304847, dated October 27, 2016, bearing Bates Nos. USA_20426–20482	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show consistency in ATF's classification decisions. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to</p>

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
			preclude “prior non-public classifications that ATF made about other devices.” <i>See</i> July 30, 2023 Minute Entry.
116	ATF Classification Report dated November 14, 1975, bearing Bates Nos. USA_20483–20494	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff’s expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show consistency in ATF’s classification decisions. The classifications also tend to undermine the opinions of Defendants’ experts, their characterizations of the law, and their characterization of the ATF’s view of products akin to the FRT-15.</p> <p>The United States notes that Defendants’ objections to the contents of this exhibit are addressed by the Court’s Order dated July 30, 2023, which denied Defendants’ motion <i>in limine</i> to preclude “prior non-public classifications that ATF made about other devices.” <i>See</i> July 30, 2023 Minute Entry.</p>
117	<i>Intentionally Omitted</i>		
118	ATF Classification Report No. 46717, dated April 26, 1994, bearing Bates Nos. USA_20495–20499	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff’s expert testified	This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show consistency in ATF’s classification

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
		he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	<p>decisions. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." <i>See</i> July 30, 2023 Minute Entry.</p>
119	ATF Classification Report No. 254498, dated September 16, 2004, bearing Bates Nos. USA_20500–20511	Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.	This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show consistency in ATF's classification decisions. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
			<p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about other devices." See July 30, 2023 Minute Entry.</p>
120	ATF Classification Report No. 2006-1060, dated November 22, 2006, bearing Bates Nos. USA_20512–20526	<p>Under FRE 402, 403, 611, irrelevant and waste of time. Plaintiff's expert testified he did not rely on past classifications in his determination that the FRT-15 constitutes a machinegun, and these classifications were nonpublic.</p>	<p>This exhibit is neither irrelevant nor a waste of time. Among other things, this exhibit tends to show consistency in ATF's classification decisions. The classifications also tend to undermine the opinions of Defendants' experts, their characterizations of the law, and their characterization of the ATF's view of products akin to the FRT-15.</p> <p>The United States notes that Defendants' objections to the contents of this exhibit are addressed by the Court's Order dated July 30, 2023, which denied Defendants' motion <i>in limine</i> to preclude "prior non-public classifications that ATF made about</p>

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
			other devices.” <i>See</i> July 30, 2023 Minute Entry.
121	Chase Bank records, Bates Nos. USA_14984-15760; USA_15762–19049	Under FRE 611, the voluminous nature of this exhibit wastes time.	This exhibit is necessary to prove the content of the summary in Exhibit 136. The United States notes that this exhibit has been admitted pursuant to the Court’s Order dated July 31, 2023. <i>See</i> July 31, 2023 Minute Entry.
122	<i>Intentionally Omitted</i>		
123	Fifth Third Bank records, bearing Bates Nos. USA_19050–20222	Under FRE 611, the voluminous nature of this exhibit wastes time.	This exhibit is necessary to prove the content of the summary in Exhibit 136. The United States notes that this exhibit has been admitted pursuant to the Court’s Order dated July 31, 2023. <i>See</i> July 31, 2023 Minute Entry.
124	Rare Breed Triggers LLC Balance Sheet as of December 31, 2022, bearing Bates Nos. RTF_0012791		
125	Rare Breed Triggers LLC Profit & Loss for January through December 2022, bearing Bates No. RTF_0012792		
126	Email to [REDACTED] from Dealer Sales, dated August 19, 2021, bearing Bates Nos. RTF_0007089–0007091		
127	<i>Rare Breed Triggers, LLC v. Big Daddy Enterprises, Inc.</i> , No. 21-CV-00149-RH-GRJ (N.D. Fla.), ECF. No. 96-2, Ex. B., Agreement Governing the Protection and Exchange of Information, Documents, and Electronically Stored Information, Bates Nos. RTF_0002705–0002719		

Exhibit	Description	Defendants' Objections (if any)	The United States' Responses (if any)
128	Email from admin@rarebreedtriggers.com to [REDACTED], dated January 1, 2021, bearing Bates No. RTF 0010686		
129	Email from Laura Morgan to Lawrence DeMonico dated December 1, 2022, bearing Bates No. RTF 0013581		
130	Email from [REDACTED] to customerservice@rarebreedtriggers.com dated December 7, 2022, bearing Bates Nos. RTF 0025959–0025961		
131	Email to [REDACTED] from admin@rarebreedtriggers.com, dated December 31, 2020, bearing Bates No. RTF 0006235		
132	Email to [REDACTED] from customerservice@rarebreedtriggers.com, dated December 7, 2022, bearing Bates No. RTF 0025962		
133	Email from customerservice@rarebreedtriggers.com to <@gmail.com>, dated November 22, 2022, bearing Bates Nos. USA 13241–44		
134	ATF Classification Report No. 307385, dated August 28, 2018, bearing Bates Nos. USA 12726–12751		
135	Email to customerservice@rarebreedtriggers.com from [REDACTED], dated March 24, 2022, bearing Bates No. RTF 24033		
136	Summary, Chart and Calculation To Prove the Content of the Voluminous Financial Records Provided by Chase Bank and Fifth Third Bank, bearing Bates Nos. USA 20530-20538		
137	Upper portion of a disassembled AR-15 (<i>Demonstrative</i>)		
138	Lower portion of a disassembled AR-15 (<i>Demonstrative</i>)		
139	Fully Automatic Trigger (<i>Demonstrative</i>)		
140	FRT-15 Trigger (<i>Demonstrative</i>)		
141	Tac-Con 3MR Trigger (<i>Demonstrative</i>)		

The United States reserves the right to rely on any exhibit(s) listed on Defendants' proposed exhibit list. The United States will supplement this exhibit list for good cause shown.

BREON PEACE
United States Attorney

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